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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP PETITIONS
Olle CARLBARK et al.)	
Application No.: 09/529,638)	Group Art Unit: 3761
Filed: June 5, 2000)	Examiner: Catherine L. ANDERSON
For: A WAIST BELT FOR ABSORBENT)	Confirmation No.: 9552
GARMENTS)	

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment dated January 13, 2010, the undersigned hereby petitions to withdraw the holding of abandonment.

The Notice of Abandonment states that the application has been abandoned for failure to timely respond to the Decision on Appeal by the Board of Patent Appeals and Interferences dated November 12, 2009.

Applicants note that PAIR indicates that a "BPAI Decision on Appeal" was mailed by the U.S. Patent and Trademark Office on November 12, 2009. Applicants submit that they are not in receipt of such Decision, and only became aware of the Decision upon receipt of the Notice of Abandonment dated January 13, 2010.

When communications from the United States Patent Office (USPTO) are received in our office, the paper is date stamped with the date received. The paper is entered into the docketing database under the appropriate client matter number, where entry fields include, among others, action required (e.g., Response to Office Action, Response to Missing Parts, etc.), the date the communication was received, a due date for a response, and any available

extensions. This system is reliable and ensures that papers are filed with the USPTO in a timely manner.

A review of the docketing history for this application indicates that the Decision on Appeal dated November 12, 2009 was not received in our office and therefore not docketed by the Docket Department of Buchanan Ingersoll & Rooney. A thorough check of the subject file jacket and application contents confirms non-receipt of the Decision.

Applicants have attached a copy of a Global Docket having the due date of January 12, 2010. No entry for the subject application is provided on the Global Docket. Further attached is a copy of a listing of all electronic mail received from the Patent Office on November 12 and 13, 2009.

Also submitted herewith are a Request for Continued Examination and an Amendment in response to the Office Action dated November 2, 2004, and the Decision on Appeal dated November 12, 2009.


In view of the foregoing, it is respectfully requested that the holding of abandonment be withdrawn and that the application be further examined on the merits.

The Director is hereby authorized to charge any appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 9, 2010

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